DEPARTMENT OF WORKFORCE
DEVELOPMENT
Secretary Roberta Gassman
201 East Washington Avenue
P.O. Box 7946
Madison, WI 53707-7946
Telephone: (608) 266-7552
FAX: (608) 266-1784
www.dwd.state.wi.us

**State of Wisconsin
Governor Jim Doyle**

DEPARTMENT OF HEALTH AND
FAMILY SERVICES
Secretary Helene Nelson
1 West Wilson Street
P.O. Box 7850
Madison, WI 53707-7850
Telephone: (608) 266-9622
FAX: (608) 266-7882
www.dhfs.wisconsin.gov

TO: **Economic Support Supervisors
Economic Support Lead Workers
Training Staff
Child Care Coordinators
W-2 Agencies
Workforce Development Boards
Job Center Leads and Managers**

FROM: Amy Mendel-Clemens
Technical Assistance, Training & Education
Section
Bureau of Eligibility Management
Division of Health Care Financing

	BEM/DWS OPERATIONS MEMO	
No:	05-16	
DATE:	04/20/2005	

FS	☒	**MA**	☐	**SC**	☐
CTS	☐	**CC**	☐	**W-2**	☐
FSET	☐	**EA**	☐	**CF**	☐
JAL	☐	**JC**	☐	**RAP**	☐
WIA	☐	**Other EP**	☐★		

PRIORITY: HIGH

SUBJECT: FoodShare Non-Financial Eligibility Criteria Change – Individuals Residing in Residential Care Apartment Complexes (RCAC)

CROSS REFERENCE: Food Share Handbook 3.2.1.5.1

EFFECTIVE DATE: Date of Issuance

PURPOSE

This memo outlines a change in policy for individuals residing in Residential Care Apartment Complexes (RCAC). We received clarification from the Food and Nutrition Service (FNS) regarding residents in an RCAC. If the meal expense is clearly separate from their cost of care, residents can be treated the same as someone living in a single apartment, and therefore be non-financially eligible for FoodShare (FS) benefits.

BACKGROUND

An RCAC is a place where 5 or more adults reside that consists of independent apartments, each of which has an individual lockable entrance and exit, a kitchen, with a stove, an individual bathroom, sleeping and living areas. The RCAC is required to make personal, supportive and nursing services available to tenants if the tenant needs and wants them. Tenants are not required to purchase these services from the RCAC. Only those services selected and agreed to by the tenant may be included in the service agreement and tenants have the right, under the

RCAC regulations, to purchase services from service providers other than the RCAC if they so wish.   Through discussions with supported living staff in the Department of Health and Family Services (DHFS), we have come to the conclusion that residents of an RCAC with a separate optional charge for meals can be non-financially eligible for FS. FNS has agreed.

POLICY

CURRENT POLICY

Current FS policy states RCAC residents are treated as living in a group living arrangement (GLA), and therefore, eligible only if they meet the definition of blind or disabled (02.03.00).

NEW POLICY

Effective with the release of this document, residents of RCAC facilities that offer optional meal services, separately from the cost of care, can be treated as single apartment dwelling residents, and be non-financially eligible for FS.

Residents of these facilities that do not have these services separate from the cost of care may be eligible if the resident meets the eligibility criteria for a group living arrangement (3.2.1.5).

Identifying RCAC Tenants
Every tenant has a signed "Service Agreement" with the RCAC provider which lists the services the tenant is to receive from the facility (including meals) and the fees charged for those services. Charges for meals should be separately identified in this agreement. Both the resident and the facility have copies of the service agreement (contract). However, most RCAC's do not have a separate lease for individual tenants.

The name and address of the facility on the service agreement can also be used to verify that the residence is an RCAC by checking against the Department's Residential Care Apartment Complex Directory.

CARES PROCESSING

A two-phased approach will allow for the implementation of this policy as soon as possible.

Phase I
After the implementation date, at application and review, individuals residing in an RCAC will be tested according to the new RCAC policy. The ES worker must determine and verify the meal situation for each RCAC resident that requests FS.

To correctly process a case in CARES on screen ANLA
If the individual's meals are purchased from the RCAC separately from their cost of care, code the individual as <01> on CARES screen ANLA.

If the individual's meals are included in his/her cost of care, code the individual as <25>, (ineligible unless blind or disabled) on CARES screen ANLA .

Phase II
A new CARES living arrangement code will be created to identify residents in RCAC's that are billed separately for meals.

EXAMPLES

Maria lives in an RCAC. Her service agreement shows she has no meals included in her cost of care but she does have the option to select from various meal plans. She has opted to prepare all of her meals herself and not purchase any meal plan from the RCAC. She would be non-financially eligible for FS. ANLA would be coded as 01.

John also lives in the same RCAC. He has opted to purchase one of the meal plans from the RCAC. Because the meal plan is purchased separately from his cost of care, he would also be non-financially eligible for FS. ANLA would be coded as 01.

Francis lives in an RCAC that does not offer the option to buy meal plans separately from the cost of care. Her meals are included the monthly cost of care. She does not meet the non-financial eligibility criteria for FS unless she is blind or disabled.

ATTACHMENT

Attached is a sample copy of what an RCAC Service Agreement may look like. This sample shows how the cost for meals are billed separately from other requested services.

CONTACTS

BHCE CARES Information & Problem Resolution Center

★Program Categories – FS – FoodShare, MA – Medicaid, SC – Senior Care, CTS – Caretaker Supplement, CC – Child Care, W-2 – Wisconsin Works, FSET – Food Stamp Employment and Training, CF – Children First, EA – Emergency Assistance, JAL – Job Access Loan, JC - Job Center Programs, RAP – Refugee Assistance Program, WIA – Workforce Investment Act, Other EP – Other Employment Programs.

DHFS/DHCF/BEM/JB